

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ALICIA LEE.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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GARAUFIS, United States District Judge.

ORDER

05-CV-2710 (NGG) (CLP)

On December 19, 2006, Magistrate Judge Cheryl L. Pollak issued a Report and Recommendation (R&R) recommending that Plaintiff Alicia Lee's motion to appoint counsel be denied. On December 22, 2006, Plaintiff filed a letter objecting to the R&R and requesting "time to get Pro bono counsel." On January 5, 2007, this court issued an Order granting Plaintiff a thirty day extension to either obtain counsel or file substantive objections to the R&R. Plaintiff has failed to either obtain counsel or file substantive objections.

In reviewing an R&R, this court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). In order to accept a Magistrate Judge's R&R where no timely objection has been made, the "court need only satisfy itself that there is no clear error on the face of the record." Urena v. New York, 160 F. Supp.2d 606, 609-10 (S.D.N.Y. 2001) (quoting Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)); see also Pizarro v. Bartlett, 776 F. Supp. 815, 817 (S.D.N.Y. 1991) (court may accept report if it is "not facially erroneous").

The R&R is comprehensive and extremely well-reasoned. The court finds no clear error in the R&R and therefore adopts the R&R for the reasons stated therein. Plaintiff's motion for appointment of counsel is hereby DENIED.

SO ORDERED.

Dated: May 25, 2007
Brooklyn, N.Y.

/signed/

Nicholas G. Garaufis
United States District Judge